

**MINUTES OF COUNCIL MEETING  
AUGUST 24, 2006  
6:30 P.M.**

The Murray City Council met in regular session on Thursday, August 24, 2006, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

**Council Members Present:** Robert Billington, Rita Henley, Pete Lancaster, Danny Hudspeth, Hugh Massey, Pat Scott, Jason Pittman, Butch Seargent, and Bill Wells.

**Council Members Absent:** Dan Miller and Doris Parham.

**Staff Present:** J. L. Barnett, Don Rogers, Don Leet, Don Elias, Ken Claud, Michael Skinner, Matt Mattingly, Philip Morris, Candace Dowdy, David Roberts, Carol Roberts, Thomas Clendenen, Gail Mullins, Harla McClure, and Warren Hopkins.

Mayor Rushing entertained a motion to open the Public Hearing to hear comments concerning the proposed tax rate for 2006. **Mr. Hudspeth moved, seconded by Mr. Pittman** to open the public hearing. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

With no comments made, Mayor Rushing entertained a motion to close the public hearing. **Mr. Billington moved, seconded by Mr. Pittman** to close the public hearing. With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Mayor Rushing recognized Tony Thompson, General Manager for Murray Electric System. Mr. Thompson introduced his department heads and provided an overview of how the electric system is doing (see attached report).

Minutes of the council meeting held August 10, 2006, were presented for approval. **Ms. Henley moved, seconded by Mr. Pittman**, to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

**Recommendation** from Murray Planning Commission authorizing the city attorney to draft an ordinance zoning a 1.121 acre tract of land located on Bailey Road and owned by Sam and Susan Underwood and Michael and Kathy Pierce as R-4 (multi family residential). The 1.121 acre tract of land consists of lots 1 and 2 of Cambridge Subdivision Unit I. **Mr. Massey moved, seconded by Mr. Billington** to approve said recommendation.

With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Ordinance Number 2006-1416** an ordinance amending Chapter 118 of the City of Murray Code of Ordinances section 118.53 as it pertains to alcohol sales at golf courses was presented to the council on a second reading. **Mr. Pittman moved, seconded by Mr. Lancaster** to adopt said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1416 adopted on a second reading and recorded in Ordinance Book Number 6, Page \_\_\_\_\_.

**Ordinance Number 2006-1417** an ordinance amending Chapter 156 of the City of Murray Code of Ordinances as it pertains to a text amendment regarding monument style signage along Highway 121 Bypass North was presented to the council for a second reading. **Ms. Henley moved, seconded by Mr. Lancaster** to adopt said ordinance.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Pete Lancaster, and Bill Wells.

**NAYS:** Robert Billington.

With no further discussion, Mayor Rushing declared Ordinance Number 2006-1417 adopted on a second reading by a vote of 8 to 1 and recorded in Ordinance Book Number 6, Page \_\_\_\_\_.

**Ordinance Number 2006-1418** an ordinance amending Chapter 156 of the City of Murray Code of Ordinances as it pertains to various text amendments was presented to the council on a second reading. **Mr. Pittman moved, seconded by Mr. Massey** to adopt said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1418 adopted on a second reading and recorded in Ordinance Book Number 6, Page \_\_\_\_\_.

**Ordinance Number 2006-1419** an ordinance levying an ad valorem tax in the City of Murray, Kentucky for the year 2006 upon all property in the City of Murray as shown by the Calloway County Assessment as of January 1, 2006, was presented to the council for approval. **Mr. Hudspeth moved, seconded by Mr. Massey** to approve said ordinance.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells:

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1419 approved on a first reading.

**Ordinance Number 2006-1420** an ordinance levying an ad valorem tax in the City of Murray, Kentucky for the year 2007 upon all motor vehicles and watercraft in the City of Murray, Kentucky was presented to the council on a first reading. **Mr. Scott moved, seconded by Ms. Henley** to approve said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells:

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1420 approved on a first reading.

**Ordinance Number 2006-1421** an ordinance amending Chapter 40, Code Enforcement, Section 40.39, of the City of Murray Code of Ordinances to add penalties for noise control was presented to the council on a first reading. **Mr. Pittman moved, seconded by Ms. Henley** to approve said ordinance.

With no discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1421 approved on a first reading.

**Ordinance Number 2006-1422** an ordinance amending Chapter 93, Health and Sanitation, Section 93.32, as it pertains to the removal of weeds, grasses, and other harmful vegetation by the Street Department and fees for same was presented to the council on a first reading. **Mr. Seargent moved, seconded by Mr. Lancaster** to approve said ordinance.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1422 approved on a first reading.

**Ordinance Number 2006-1423** an ordinance amending Chapter 30 of the City of Murray Code of Ordinances as it pertains to meeting times during the month of November and December was presented to the council on a first reading. **Mr. Lancaster moved, seconded by Mr. Seargent** to approve said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1423 approved on a first reading.

**Ordinance Number 2006-1424** an ordinance enacting and adopting a supplement to the Code of Ordinances of the City of Murray, Kentucky was presented to the council on a first reading. **Mr. Hudspeth moved, seconded by Mr. Pittman** to approve said ordinance.

With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1424 approved on a first reading.

**Municipal Order 016-2006** appointing Karen Welch to the City of Murray Architectural Review Board for a three year term to expire August 24, 2009 was presented to the council for approval. **Mr. Pittman moved, seconded by Mr. Lancaster** to approve said municipal order.

With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Municipal Order 017-2006** appointing Stan Henley to the City of Murray Architectural Review Board for a one year term to expire August 24, 2007 was presented to the council for approval. **Mr. Billington moved, seconded by Mr. Seargent** to approve said municipal order.

With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Municipal Order 018-2006** appointing Cindy Reichmuth to the City of Murray Architectural Review Board for a two year term to expire August 24, 2008 was presented to the council for approval. **Mr. Lancaster moved, seconded by Mr. Scott** to approve said municipal order.

With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Municipal Order 019-2006** appointing John Resig to the City of Murray Architectural Review Board for a two year term to expire August 24, 2008 was presented to the council for approval. **Mr. Billington moved, seconded by Ms. Henley** to approve said municipal order.

With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Municipal Order 020-2006** appointing Chris Clark to the City of Murray Architectural Review Board for a one year term to expire August 24, 2007 was presented to the council for approval. **Mr. Billington moved, seconded by Mr. Pittman** to approve said municipal order.

With no discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

Mayor Rushing recognized Hugh Massey and asked that he provide a report from the Public Works Committee. Mr. Massey stated he was unable to be at the meeting and asked Ms. Henley to provide the report. Ms. Henley stated that the committee met to discuss bids for a fully automated side loading refuse truck.

BIDDER	ITEM	BID
McNeilus	2007 Mack L.E.	\$183,906.00
Municipal Equipment	2008 Mack L.E. 613	\$219,075.91

**Ms. Henley moved, as unanimously recommended by the Public Works Committee,** to accept the bid of McNeilus in the amount of \$183,906 for the 2007 Mack L. E. **Mr. Billington seconded the motion.** With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared the motion approved.

Mayor Rushing recognized Danny Hudspeth and requested that he provide a report from the ad hoc committee. Mr. Hudspeth stated that the committee's purpose was to present names to the council for the vacancy created when Lance Allison moved out of the city limits.

Mr. Hudspeth stated the committee convened to executive session to discuss candidates. He stated the committee decided to set the following criteria for the proposed candidates: 1) it needed to be a council person not currently seeking a seat in the upcoming election; and 2) it needed to be someone who had served on the council in the past.

**Mr. Hudspeth moved, as unanimously recommended by the Ad Hoc Committee,** to nominate J. D. Outland to fill the vacancy on the council. **Mr. Pittman seconded the motion.** With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Danny Hudspeth, Hugh Massey, Rita Henley, Butch Seargent, Jason Pittman, Pat Scott, Robert Billington, Pete Lancaster, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared J. D. Outland will fill the vacancy on the council.

With no further business to come before the council, the meeting adjourned at 7:10 p.m.

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H. Thomas Rushing, Mayor

Attest:

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Harla McClure, City Clerk